The picture was in bad condition. However, who got the picture from him, lived in Thirty-Bulleves in THEM STHL.

Picture Beater Defendant a Witness in Hosen Beater Defendant Defendant in Hosen Beater Defendant Defend

WATS OF THE PAINTERS "I knew Martin and Inness very well

was acquainted with Wyant and knew Blakelock intimately," said Clausen. saw Inness painting very often and saw Blakelock painting hundreds of times. I saw Wyant once, but he wouldn't demonstrate his work when any one was present. You could always tell a Homer Martin

He would become very nervous as he began to work, and grew as aggressive as if he were punching a bag, his hair

the asylum," said Clausen. "He was a great expert with varnishes, and one is now known by his name. After he had now known by his name. After he had thin varnished his picture Blakelock put the paint on in a primitive way which gave the suggestion for the picture he developed later. Hundreds of Blakelocks which had been started with no aim or purpose were thrown around after his misfortune. He was purely and simply a picture maker, and in no sense an artist, as was

Evans said he was contemplating an auction sale and said he wished I would look over his collection and give my opinion," said the witness. "I said. Do you want my professional opinion or do you want me to give you a lot of taffy? me to tell him how his pictures compared with the Thomas B. Clarke collection signature when he was on the stand for signature when he was on the stand for signature when he was admitted in evidence, as the clark of the plaintiff was admitted in evidence, as the control of the plaintiff was admitted in evidence, as the control of the plaintiff was admitted in evidence, as the control of the plaintiff was admitted in evidence, as the control of the plaintiff was admitted in evidence. CLAUSEN'S "SADDEST DINNER" WITH EVANS was a receipt signed "B. Swift.

brought \$5.900 at the said. The picture brought \$5.900 at the said. The picture of the check for "Near Newport," which had been made out by his wife and was convinced that the Potter Palmer collection, and bought others by Inness. Asked if Myant's "Driving Mists" was included. Clausen said it was. "I first saw it in 1899, when Mr. Evans sent it to me said it was. "I first saw it in 1899, when Mr. Evans sent it to me said it was." I first saw it in 1899, when Mr. Evans sent it to me said it was. "I first saw it in 1899, when Mr. Evans sent it to me said it was be very primitive then. He told me to write to me said it was be very primitive then. He told me to write to come down and sign the picture with her husband's name, and he said the would write too. She came down and looked at the picture and wouldn't sign it. I called up Mr. Evans as he had requested and put it is with the picture with wouldn't sign it. I called up Mr. Evans as he had requested and put it writes her the second time and sign the picture with her husband's name. Evans came it after we had both written her the second time and signed the picture with her husband's name. Evans came it after whe had both written her the second time and signed the picture with her husband's name. Evans came it after whe had both written her the second time and signed the picture with her husband's name. Evans came it after we had both written her the second time and signed the picture with her husband's name. Evans came it after we had both written her the second time and signed with the Humphreys deal and I won't pay second the picture it was in the Humphreys deal and I won't pay second the picture of Arthur Dawson's studio and have it strengthened and put time I saw the picture it was in the American Art Godler ex and was a the American Art Godler ex and was a the American Art Godler ex and was a the American Art Godler ex and was in the American Art Godler ex and was a the American Art Godler ex and was in the American Art Godler ex and was in the American Art time I saw the picture it was in the American Art Goller es and was a very beautiful would be blackmail.

This wouldn't be commission. This gold character would be blackmail.

THE TROUBLE WITH DR HUMPHREYS.

prought \$1,000

THE STORY OF "NEAR NEWPORL."

"You didn't say you found it in a board-ing house at Fishkill?"
"Absurd."

ing house at Fishkill?

"Absurd."

"Did you tell Evans it was an original Homer Martin?"

"I didn't say anything about it. He came in and said. What a beautiful picture that is!" and I agreed with him. I thought then it was painted by Martin and think so now, but didn't say so."

Clausen said the next time he heard of "Near Newport" was when Mr. Evans asked him to lunch with him at the National Arts Club. Evans told him, "Billy. I've been in Washington and I have decided to donate 100 paintings to the nation. I have the original list and you look it over and see if I'm right in selecting the pictures." Clausen said that Martin's "Afterglow" was on the list and he remarked that Mr. Evans had also given "Near Newport." He said Evans replied. "Yes, that's the finest." Clausen asked why he didn't give "The Old Mill" too. You could always tell a Homer Martin because the brush work was so positively demonstrated it was impossible to make a mistake. You can see the little characteristic touches at once when you look at a Martin. His tints would run from most beautiful pearl grays to darker shades, burnt ochre or Van Dyke brown, and he made what we call Martin "chicken feet," over the canvas. These ran through his later work as well.

"Inness was aggressive and sat on a chair with his palette in his hand. On a marble table before him his paints were spread out, with the canvas on the ease! He would become very nervous as he work as well are the freed of t list, which remained in Clausen's possesion, was put in evidence.

to pay. We'll stick to you, bu sake give him his money back.

STATEMENT CLAUSEN SIGNED

"It stunned me." testified Clausen.
"I said, This is an awful thing. Ranger said, Do give the money back. You

doing. He wrote the letter at White's dicta-

EX-BOOKMAKER SHOT: MAY DIE.

Jacobs t he Vietim.

"I said. This is an awful thing. Banger said. Do give the money back. You know Macbeth has talked and the boy. Otto Karsch, has put a nail in your coffin. When I started to read the statement they had prepared, which said I knew the pictures were not genuine. I said. I'll never sign it in my life. It's not true. I want to call up my attorney.' I was thinking of my wife and I was thinking of my child. I was thinking of the thirty-five years I have been in business. It is an awful thing to come in "THE OLD MILL" CAME FROM STRACUSE. as if he were punching a bag, his hair blowing constantly and Inness keeping up an incessant talking. In ten minutes he would be covered with perspiration as if he were in a Turkish bath."

"I was the one that took Blakelock to the asylum," said Clausen. "He was a splum," said Clausen. "He was a splum," be leaves to the pencil sketch and gave it to Mr. Evans a splum, and the pencil sketch and gave it to Mr. Evans a splum, and the pencil sketch and gave it to Mr. Evans a splum, and the pencil sketch and gave it to Mr. Evans a splum, and the pencil sketch and gave it to Mr. Evans a splum, and the pencil sketch and gave it to Mr. Evans a splum, and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans a splum and the pencil sketch and gave it to Mr. Evans and the pencil sketch and gave it to Mr. Evans and the pencil sketch and gave it to Mr. Evans and the pencil sketch and gave it to Mr. Evans and the pencil sketch and gave it to Mr. Evans and the pencil sketch and gave it to Mr. Evans and the pencil sketch and gave it to Mr. Evans and gave it after he bought the picture. I don't think I told him the sketch was by Mar-

ness. It is an awful thing to come in such an unexpected way and demand that I sign such a statement when in all my business life I have never done anything wrong." Clausen's letter press book containing his alleged reply to the Syracuse man was then put in evidence. The letter was addressed to Mr. Hamilton and told him to addressed to Mr. Hamilton and told him to that if he would instruct his partner in the picture to bring it to New York Clausen would look at it and tell how much he would pay for it if he liked it. Some time afterward a gentleman came into the store who said he was Mr. Swift. He described the occasion as an "epoch in a man's life" when he ought to have a chance to think what he was Clausen said. He had the picture with doing. He was purely and simply a picture maker, and in no sense an artist, as was Wyant. Inness or Martin."

Clausen said that from his experience with the four artists he thought he could judge the genuine work of any of them. He first became acquainted with Mr. Evans in 1886 when Mr. Evans called at his gallery and invited Clausen to die at the Evans home in Montclair. Clausen accepted and went out there one day. "Evans said he was contemplating an auction sale and said he wished I would surely buy it later and they agreed on a price and Mr. Swift left agreed on a price and Mr. Swift left. After it had been framed Swift came back a suction sale and said he wished I would some the beautiful for the said he was the said he would surely buy it later and they agreed on a price and Mr. Swift left. After it had been framed Swift came back to New York in March, 1903, and Clausen to New York in March, 1903, and Clausen paid him. He wanted to give Swift a check, he said, but the latter said he was not acquainted here and wanted the cash. you want me to give you a lot of taffy? Clausen then sent his clerk. Pastorini Evans said he intended to sell and wanted me to tell him how his pictures compared check on which Pastorini identified his

out that you're right Buy as many pictures as necessary to make a sincessary to make make on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in to find Jacobs on the floor and two shots. He ran in the floor and two shots. He ran in the floor and two shots. He ran in to find Jacobs on the floor and two s brought \$5,900 at the sale. The picture of the check for "Near Newport," which had been made out by his wife and was for Mr. Evans, some of them coming

Evans sale.

Clausen was asked about Martin's

Clausen was asked about Martin's

Westchester Hills, which was also in
the sale and brought \$4.550. He said it
was not in the same condition when he
first saw it as when it was said. The said it
and as a result he went to Trenton to see it. friends.

In pleading guilty Irani was careful to state that he admitted the facts, but denied any intention of violating the customs law. He repeated his story of receiving the jewels from a friend in Paris to be delivered to friends who would meet him at the New York pier. He thought he was doing merely a friendly favor. was not in the same condition when he first saw it as when it was sold. The same was true of Inness's "Summer Morning." which Dawson testified Mr. Evans wanted cut in two. It was knocked down to the late Frederick S. Gibbs at the sale and told Dr. Humphreys that Mrs. Searles told Dr. Humphreys that Mrs. Se to buy an important Homer Martin. He told Dr. Humphreys that Mrs. Searles told him the picture had been hanging in Wash-ington, and Dr. Humphreys asked him not Memory of "Near Newport."

"In March, 1902, it was brought into my gallery by Mr. Andrew Chittenden, who said he wanted to sell it. He had neen to several of my public exhibitions. He said he had seen a great deal in the picture was finished it was kept locked in a room in the gallery until Dr. Humphreys asked him not to show the picture to any one else. Dr. Humphreys wanted to see the picture because he was going to Europe, but it was in process of restoration at Lyme, Conn., and Clausen found it wouldn't be finished until Dr. Humphreys left. When he picture was finished it was kept locked in a room in the gallery until Dr. Humphreys and asked him not to show the picture to any one else. Dr. Humphreys wanted to see the picture women, eleven of them in a single year, and who finally was extradited from Caneda on a charge of perjury in connection with his latest min and asked about prices. I said he was a friend of Martin and wanted to sell it for less than \$5,000 and Dr. Humphreys took it. With his permission if was exhibited at the gallery for maximum difference in the picture was finished in a room in the gallery until Dr. Humphreys took it. With his permission if was exhibited at the gallery for some time. Clausen said that Senator bid him adieu.

Not a Wife to See Zimmerman Off.

WILKESBARRE, March 22.—Because a clerk of the First National Bank of this city through an error permitted a check of Samuel Simpson to go to protect when in a single year, and who finally was extradited from Caneda on a charge of perjury in connection with his latest min a single year, and who finally was extradited from Caneda on a charge of perjury in connection with his latest min a single year, and was convicted in a room in the gallery until Dr. Humphreys to was in process of restoration at Lyme, Conn., and Clausen found it wouldn't be finished until Dr. Humphreys in connection with his latest min a single year, and was convicted in a room in the picture was finished until Dr. Humphreys to was in process of restoration at Lyme

DENNISON DECLARED INSANE

COMMISSION BELIEVES KILLED BOYS.

Report Scores Lax Methods of State Institution Which Permitted a Dangerous Lunatic to Be at Large Den May He Sent to Matteawan Asylum.

Herbert Jerome Dennison, who shot and wounded John Fredericks on the viaduct at 153d street on the night of January 8, was declared insane yesterday by the commission that has been examining him. District Attorney Whitman said last night in regard to whether Dennison killed Robbie Lomas and Arthur Shibley in High Bridge Park on January 12

"I am convinced from the evidence that has been presented that he is the man who killed those two boys and I am perfectly willing to say so."

The commission backs up the District Attorney's opinion In recomm changes in the rules of State institutions for the insane the commission's report says: "From facts that were developed on this examination the commission is unanimous in arriving at the conclusion that at least two lives have been sacrificed by reason of the lax methods that were allowed to be adopted in the case of this defendant "

Although most of the authorities have been convinced from the start that Denopen.

When asked as to his dealings with artists Clausen said, "If they owed me it was his behavior at one of the commission's they mostly didn't have it and I had to take paintings from them. He said the "Devil's Rock" looked as if Blake-lock had painted it on a napkin and he paint had sagged down so much that he had to send it to Dawson to be transferred to a penel. ley and Robbie Lomas were fired upon was produced. Dennison was asked if that was his gun. Without looking at it

> "How do you know it is?" was the next question.

"That's my Hopkins & Allen," he answered, referring to the make of the "But why do you say it is your Hopkins

& Allen," asked his lawyer, Abe Levy. "The detectives told me so," said Denni son. He was told to describe something about the revolver that would show his familiarity with it. Dennison thought a moment and then mentioned some scratches near the top of the butt. They were there, although the letter "H," standing for Herbert, had not been put on by Dennison. That was the identification mark scratched by the policema who found the weapon. But his des tion of the other marks was complet enough to convince the commiss the gun was his. Dennison said that he had seen the revolver last when he used

ing seen it since. Judge O'Sullivan, who appointed the mmission, with whom the report was filed yesterday, approved the findings. To-day the Court will probably sign an order committing Dennison to Matteawan.

One phase of the commission's examina tion Judge O'Sullivan did not think was properly restricted to the case of Dennison. This applied to the rules of State institutions permitting patients to be withdrawn when, in the opinion of the commission, they are a menace to the public. It was set forth in a supplementary report, a copy of which was sent by Judge O'Sullivan to Dr. Albert W. Ferris, president of the State Lunacy Commission. The report states that Denison is suffering from the paranoic type of dementia præcox and that he has been in this condition for the last ten years, during which he has been in six different institutions. The medical superintendent of the Middletown Asylum testified that when Dennison's mother removed him from that institution in 1908 without any order of the Court and without a physician's certificate he was discharged unimproved and not cured. The commission also says that Dennison was not under any special restraint in the private sanitariums and that he was allowed by the prement in charge of the commission as and the private sanitariums and that he was allowed by the prement in charge to commission and the private sanitariums and that he was allowed by the prement in charge to commission as a superior of the court and that he was allowed by the prement in charge to commission and the court and the private sanitariums and that he was allowed by the prement in charge to commission and the prement in the proment in the p son. This applied to the rules of State He wrote the letter at White's dictation like an automaton, he said, and later the terms of restitution were settled. He said he didn't know he wrote that Dr. Humphreys was to have authority to destroy the alleged false pictures and said he didn't get them back until after he sued Dr. Humphreys for them. Police Looking for kid Mansfield-Harry Harry Jacobs, who used to be a bookmaker but who changed to real estate

which had been seld some years previous. Clausen seld some years previous. Clausen side of the pictures in the planniff was admitted in evidence, as make a receipt signed "B. Swift."

Evans, you have some very and said. "Fire Old Mill." Evans pictures, there is no question about that provides and asked if the had anything new, and had you have there is no question about the planniff was admitted in evidence, as an every side of the had anything new, and asked if the had anything new, and the had two pictures, there is no question about the planniff was admitted in evidence, as the two who changed to real estate had other things when bookmaking became an extra hazardous profession, was not under any special restraint in the came and that he was allowed to the private sanitariums and that he was allowed to the said two and short of your was a free picture. Clausen said that said it was the said the wast of the finest Wyant and a fine said it was the said the wast of the finest Wyant and a fine said the wast of the picture of th tives for an indefinite period has made such an impression upon the members of this commission that they deem it their duty to call the attention of this court and leave it to this court whether the attention of the State authorities should be called to the lax way in which the insane, and in this case a dangerous and violently insane person, may be taken out of a pulic insane asylum, after having been duly committed to the same on the certificate of two physicians and by order of a court, and left entirely in the control of a parent or relative to do with such insane person as he or she pleases.

The report then refers to the result of Dennison's freedom and declares that if there are sufficient laws at the present time they are being laxly enforced, and if there are not it recommends that such

if there are not it recommends that such laws be enacted.

The commission was headed by George L. Lewis, a lawyer of 42 Broadway. Dr. Heinrich Stern of 250 West Seventy-third street and Dr. James J. Walsh of the faculty of Fordham University were the other members.

WARNED AGAINST HUSBAND, So Mrs. Gibney Arranges to Have Him

Mrs. Marguerite D. Gibney, who lives at 307 West Seventy-seventh street, appeared against her husband, James Gibney, a lawyer, in the West Side police court yesterday and had Magistrate Corrigan hold him over until she could But Says He Didn't Mean to Do Wrong arrange for his removal in the afternoon to a private sanitarium.

Gibney had been arrested outside his home Monday night and locked up in the

man who was arrested on the arrival here last week of the steamship Oceanic, was indicted yesterday by the Federai Grand Jury on the charge of smugging in an emerald and diamond bracelet and brooch and a diamond pendant with gold chain, all valued approximately at \$7.500.

Irani pleaded guilty and was fined \$200, which was paid by the Parsee's friends.

In pleading guilty Irani was careful to state that he admitted the facts, but denied any intention of violating the customs law. He repeated his story of receiving the jewels from a friend in Paris to be delivered to friends who would

\$700 FOR PROTESTED CHECK.

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CARUSO REFORE GRAND JURY Gives Evidence in Case of Alleged Italian Enrico Caruso, the tenor, paid another

visit to Brooklyn yesterday under the close guard of four detectives. On his arrival at the Kings County Court House he was escorted to the Dis-Court House he was escorted to the Dis-trict Attorney's office and after remain-ing there a few minutes he was hurried to the Grand Jury room. There he repeated the testimony he gave last week before Magistrate Tighe against Antonio Cin-cotta and Antonio Mislaui, who were held for the Grand Jury on a charge of send-ing \$15.000.

ng \$15,000 Caruso spent half an hour with the

SPECIAL NOTICES. Equal Suffrage

At the Garden Theater on Thursday March 24, at four o'clock, under the auspices of the Equal Franchise Society. Colonel George Harvey will speak on "THE INHERENT RIGHT."

Mrs. Mackay will preside. Special notice to members: The advance sele of orchestra seats has been so large for this last meeting of the series that all seats reserved for members not occupied at five minutes before four o'clock will be placed on sale. Admission to orchestes. Il. Galleries free. Tickets now on sale at the Garden Theatre and at Tyson's HELP WANTED-FEMALE.

A YOUNG WOMAN. 36 bust, wanted as mod-in fitting department. Apply to MINN WEGMAN Standard Fashion Company, 13-16 Vandam at New York.

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